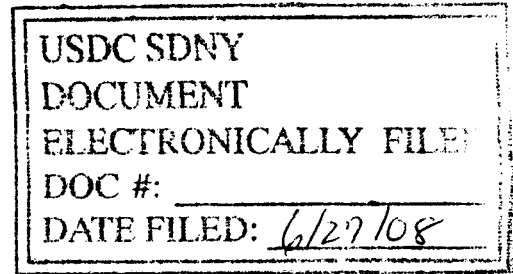


June 17, 2008



**VIA FEDERAL EXPRESS**

Honorable William H. Pauley III  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
Room 2210  
Courtroom 11D  
New York, NY 10007

Re: Trustees of the Mason Tenders District Council Welfare Fund,  
Pension Fund, Annuity Fund and Training Program Fund v. Safeway  
Environmental Corp.  
Index No.: 08 CV 02137 (WHP)  
Matter No.: 000806-0007

Dear Judge Pauley:

I have just recently found out that I am scheduled for oral argument in the Second Department, Appellate Division on Friday June, 20, 2008, at the same time as the 11:15AM Pre-Trial Conference in the above referenced matter. As a result I am writing to request an adjournment of the conference or, in the alternative, I will send a junior associate to attend in my place.

In the event that your Honor would like me, principal trial counsel, to attend the conference, please be advised that this is the first adjournment requested in the matter. I have spoken with Sally L. Schneider, counsel for Plaintiffs, regarding this request and she has consented to the adjournment. Assuming, based on a telephone conversation with chambers that your Honor wants to hold the conference on a Friday, Ms. Schneider and I are available during the mornings of July 11 and July 18. This request shall change the deadline for initial disclosures required under Fed. R. Civ. P. 26(a)(1). Due to the nature of this request, we are unable to attach a proposed Revised Scheduling Order until a new date for the pre-trial conference is set. However, we shall forward one immediately in the event your Honor grants the adjournment.

Thank you for your Honor's attention to this matter.

Application Granted. The initial pre-trial  
conference is adjourned to July 11.  
SO ORDERED: 2008 at 11:45 a.m.

Respectfully submitted,  
Kaufman Dolowich & Voluck LLP

WILLIAM H. PAULEY III U.S.D.J.

Andrew L. Richards

6/26/08 cc: Sally L. Schneider, Esq. (by facsimile)  
ND: 4832-7810-6114, v. 1

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